

IN THE CIRCUIT COURT  
STATE OF MISSOURI  
TWENTY-SECOND JUDICIAL CIRCUIT  
(City of St. Louis)

BERJ HOVSEPIAN, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 THE ADEL WIGGINS GROUP, *individually and as a* )  
 *wholly-owned subsidiary of the* TRANSDIGM GROUP, INC., )  
 AIR & LIQUID SYSTEMS CORPORATION, *a/k/a* )  
 BUFFALO PUMPS, INC., )  
 ALDRICH COMPANY, *a/k/a* ALDRICH BOILER COMPANY, )  
 ALFA LAVAL, INC., )  
 AURORA PUMP COMPANY, )  
 AUTOZONE, INC., )  
 A.W. CHESTERTON COMPANY, )  
 BORG-WARNER MORSE TEC LLC *as successor-* )  
 *by merger to,* BORG-WARNER CORPORATION, )  
 BRIDGESTONE AMERICAS, INC., )  
 BRIDGESTONE AMERICAS TIRE OPERATIONS, LLC, )  
 BURNHAM COMMERCIAL BOILERS, )  
 CARRIER CORPORATION, )  
 CATERPILLAR, INC., )  
 CBS CORPORATION, *f/k/a* VIACOM, INC., *merger* )  
 *to* CBS CORPORATION, *f/k/a* WESTINGHOUSE )  
 ELECTRIC CORP., )  
 CERTAIN-TEED CORPORATION, )  
 CLEAVER BROOKS, INC., *f/k/a* CLEAVER-BROOKS )  
 *a division of* AQUA-CHEM, INC., )  
 CONTINENTAL TEVES, INC., )  
 CONWED CORPORATION, )  
 CRANE CO., *individually and as successor-in-interest to* )  
 COCHRANE, INC., *a/k/a* JENKINS VALVES, INC., )  
 CROWN, CORK AND SEAL COMPANY, INC., )  
 CSR LTD, *a/k/a* CONSOLIDATED SUGAR AND REFINING, )  
 CUMMINS, INC., )  
 DAIMLER TRUCKS NORTH AMERICA, LLC, *f/k/a* )  
 FREIGHTLINER, LLC, )  
 DANA COMPANIES, LLC )  
 THE DOW CHEMICAL COMPANY, )  
 DRACO MECHANICAL SUPPLY, INC., )

Cause No. \_\_\_\_\_

(ASBESTOS DOCKET)  
(DIVISION 1)

PERSONAL INJURY  
PRODUCTS LIABILITY

JURY TRIAL DEMANDED

EATON CORPORATION, *f/k/a* CUTLER-HAMMER, )  
 FEDERAL MOGUL ASBESTOS PERSONAL INJURY )  
 TRUST, *as successor to* FEL-PRO, )  
 FEDERAL MOGUL ASBESTOS PERSONAL INJURY )  
 TRUST, *as successor to* VELLUMOID, *division of* )  
 FEDERAL MOGUL, )  
 FLOWERVE CORPORATION, *individually and* )  
*as successor-in-interest to* BW/IP INTERNATIONAL, INC., )  
*f/k/a* BYRON JACKSON PUMP DIVISION, )  
 FMC CORPORATION, *as successor of* )  
 NORTHERN PUMPS *and* PEERLESS PUMPS, )  
 FORD MOTOR COMPANY, )  
 FOSTER WHEELER ENERGY CORPORATION, )  
*individually and successor-in-interest to* C.H. WHEELER, )  
 GARDNER DENVER, INC., )  
 GENERAL ELECTRIC COMPANY, )  
 GENERAL GASKET CORPORATION, )  
 GENUINE PARTS COMPANY, *a/k/a* NAPA AUTO PARTS, )  
 GEORGIA-PACIFIC, LLC, )  
 THE GOODYEAR TIRE & RUBBER COMPANY, )  
 GOULDS PUMPS, INC., )  
 GREENE TWEED & CO INC., )  
 GRINNELL, LLC, )  
 HONEYWELL INTERNATIONAL, INC., )  
 ILLINOIS TOOL WORKS, INC., *individually and as* )  
*successor-in-interest to* DEVCON CORP., )  
 IMO INDUSTRIES, INC., *individually and as* )  
*successor-in-interest to* DELAVAL TURBINE, INC., )  
 INGERSOLL-RAND COMPANY, )  
 ITT CORPORATION, *f/k/a* ITT INDUSTRIES, INC., )  
 JOHN CRANE, INC., )  
 J.P. BUSHNELL PACKING SUPPLY CO., )  
 THE J.R. CLARKSON COMPANY, *successor to* THE KUNKLE )  
 VALVE COMPANY, *and successor to* J.E. LONERGAN )  
 COMPANY, )  
 KAISER-GYPSUM COMPANY, INC., )  
 KELLY MOORE PAINT COMPANY, )  
 KELSEY-HAYES COMPANY *a/k/a* FRUEHAUF )  
 CORPORATION, )  
 LAMONS GASKET COMPANY, )  
 LUFKIN INDUSTRIES, INC., )  
 MACK TRUCKS, INC., )  
 MAREMONT CORPORATION, )  
 METROPOLITAN LIFE INSURANCE COMPANY, )  
 MOTION CONTROL INDUSTRIES, INC., *as successor-in-* )  
*interest to* CARLISLE CORPORATION, )



2. During the course of Plaintiff's employment at the locations mentioned above, during non-occupational work projects and/or in other ways, the Plaintiff was exposed to and inhaled, ingested or otherwise absorbed asbestos fibers and/or asbestiform fibers emanating from certain products the Plaintiff was working with and around which were manufactured, sold, distributed or installed by the Defendants and each of them.
3. Plaintiff was first exposed to and inhaled, ingested or otherwise absorbed asbestos fibers and/or asbestiform fibers emanating from certain products they worked with or around outside the State of Missouri, which were manufactured, sold, distributed by the Defendants and each of them. One or more of the Defendants maintain a registered agent in the City of St. Louis. Venue is therefore proper in the City of St. Louis, Missouri, pursuant to Missouri Revised Statutes 508.010.5, in that one or more of the Defendants maintain a registered agent in the City of St. Louis.
4. On the following date, Plaintiff first became aware that he had the asbestos-related disease specified below and at a later date learned that said disease was wrongfully caused:

September 15, 2015 - Mesothelioma
5. Plaintiff disclaims any claim for relief for any portion of the injuries sustained upon a federal enclave or as a result of the malfeasance of any persons acting as a federal officer. Plaintiff alleges no claim arising under the maritime law of the United States or arising under any other law of the United States of America or its Constitution. One or more Defendants are citizens of the State of Missouri and this action is not properly removable on any theory or jurisdictional basis.

6. The below mentioned Defendants are jointly and severally liable in that they contributed to Plaintiff's injuries:

Defendant, THE ADEL WIGGINS GROUP, individually and as a wholly-owned subsidiary of the TRANSDIGM GROUP, INC., is a foreign corporation doing business in the State of Missouri. Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute at Corporation Service Company, 2711 Centerville Rd, Ste. 400, Wilmington, DE 19808.

Defendant, AIR & LIQUID SYSTEMS CORPORATION, a/k/a BUFFALO PUMPS, INC. is a foreign corporation doing business in the State of Missouri. Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute at CT Corporation, 116 Pine Street, Ste. 320, Harrisburg, PA 17101.

Defendant, ALDRICH COMPANY, a/k/a ALDRICH BOILER COMPANY, is a foreign corporation doing business in the State of Missouri; Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute through its registered agent, Fred Howard, President, at 341 East Williams Street, Wyoming, Illinois 61491.

Defendant, ALFA LAVAL, INC., individually and as successor-in-interest to SHARPLESS CORP., is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, C.T. Corporation System, 120 South Central Avenue, Clayton, Missouri 63105.

Defendant, AURORA PUMP COMPANY, is a foreign corporation doing business in the State of Missouri; Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute through its registered agent, Lynette Jones, at 133320 Ballantyne Corporate Place, Charlotte, North Carolina 28277.

Defendant, AUTOZONE, INC., is a foreign corporation doing business in the State of Missouri; Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute at C.T. Corporation Systems, 208 South LaSalle Street, Suite 814, Chicago, Illinois 60604.

Defendant, A.W. CHESTERTON, is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, C.T. Corporation System, 120 South Central Avenue, Clayton, Missouri 63105.

Defendant, BORG-WARNER MORSE TEC LLC., as successor-by-merger to BORG-WARNER CORPORATION, is a foreign corporation doing business in the State of Missouri. Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute at The Corporation Trust Company, Corporation Trust Center, 1209 Orange St., Wilmington, DE 19801.

Defendant, BRIDGESTONE AMERICAS, INC., is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, National Registered Agents, Inc., 300-B East High Street, Jefferson City, Missouri 65101.

Defendant, BRIDGESTONE AMERICAS TIRE OPERATIONS, LLC, is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, National Registered Agents, Inc., 300-B East High Street, Jefferson City, Missouri 65101.

Defendant BURNHAM COMMERCIAL BOILERS, is a foreign corporation doing business in the State of Missouri; Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute at 1241 Harrisburg Avenue, Lancaster, Pennsylvania 17603.

Defendant, CARRIER CORPORATION, is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, C.T. Corporation System, 120 South Central Avenue, Clayton, Missouri 63105.

Defendant, CATERPILLAR, INC., is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, C.T. Corporation System, 120 South Central Avenue, Clayton, Missouri 63105.

Defendant, CBS CORPORATION, f/k/a VIACOM, INC., merger to CBS CORPORATION, f/k/a WESTINGHOUSE ELECTRIC CORP., is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, CSC-Lawyers Incorporating Service Company, 221 Bolivar Street, Jefferson City, Missouri 65101.

Defendant, CERTAIN-TEED CORPORATION, is a foreign corporation doing business in the State of Missouri; Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm

Statute at C.T. Corporation System, 208 South LaSalle Street, Suite 814, Chicago, Illinois 60604.

Defendant, CLEAVER BROOKS, INC., f/k/a CLEAVER-BROOKS a division of AQUA-CHEM, INC., is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, CSC-Lawyers Incorporating Service Company, 221 Bolivar Street, Jefferson City, Missouri 65101.

Defendant, CONTINENTAL TEVES, INC., is a foreign corporation doing business in the State of Missouri. Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute at The Corporation Company, 30600 Telegraph Road, Bingham Farms, Michigan 48025.

Defendant, CONWED CORPORATION, is a foreign corporation doing business in the State of Missouri. Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute at C.T. Corporation System, 1209 Orange Street, Wilmington, Delaware 19801.

Defendant, CRANE CO., individually and as successor-in-interest to COCHRANE, INC. a/k/a JENKINS VALVES, INC., is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, C.T. Corporation System, 120 South Central Avenue, Clayton, Missouri 63105.

Defendant, CROWN, CORK & SEAL COMPANY, INC., is a foreign corporation doing business in the State of Missouri. Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute at 5555 115th Street, Alsip, Illinois 60803.

Defendant CSR, LTD, a/k/a CONSOLIDATED SUGAR AND REFINING, is a foreign corporation doing business in the State of Missouri; Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute at Locked Bag 1345, North Ryde BC, NSW, 1670, Australia and Trinita 3, 39 Delhi Road, North Ryde, NSW 2113, Australia.

Defendant, CUMMINS, INC., is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, CSC Lawyers Incorporating Service Company, 221 Boliver St., Jefferson City, Missouri 65101.

Defendant, DAIMLER TRUCKS NORTH AMERICA, LLC, f/k/a FREIGHTLINER, LLC, is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, C.T. Corporation System, 120 South Central Avenue, Clayton, Missouri 63105.

Defendant, DANA COMPANIES, LLC, is a foreign corporation doing business in the State of Missouri. Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute at C.T. Corporation Systems, 208 South LaSalle Street, Suite 814, Chicago, Illinois 60604.

Defendant, THE DOW CHEMICAL COMPANY, is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, The Corporation Company, 120 South Central Avenue Clayton, Missouri 63105.

Defendant, DRACO MECHANICAL SUPPLY, INC., is a corporation organized under the laws of Missouri and may be served through their registered agent James M. Preston, 8029 Litzsinger Road, St. Louis, Missouri 63144.

Defendant, EATON CORPORATION, is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, C.T. Corporation System, 120 South Central Avenue, Clayton, Missouri 63105.

Defendant, FEDERAL MOGUL ASBESTOS PERSONAL INJURY TRUST, as successor to FEL-PRO, is a foreign corporation doing business in the State of Missouri; Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute at Wilmington Trust SP Services, Inc., 1105 North Market Street, 13<sup>th</sup> Floor, Wilmington, Delaware 19801.

Defendant, FEDERAL MOGUL ASBESTOS PERSONAL INJURY TRUST, as successor to VELLUMOID division of FEDERAL MOGUL, is a foreign corporation doing business in the State of Missouri; Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute at Wilmington Trust SP Services, Inc., 1105 North Market Street, 13<sup>th</sup> Floor, Wilmington, Delaware 19801.

Defendant FLOWSERVE CORPORATION, individually and as successor-in-interest to BW/IP INTERNATIONAL, INC., f/k/a BYRON JACKSON PUMP DIVISION, is a foreign corporation doing business in the State of Missouri; Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served

pursuant to the Missouri Long-Arm Statute at C.T. Corporation System, 350 North St. Paul Street, Dallas, Texas 75201.

Defendant, FMC CORPORATION, as successor of NORTHERN PUMPS and PEERLESS PUMPS, is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, C.T. Corporation System, 120 South Central Avenue, Clayton, Missouri 63105.

Defendant, FORD MOTOR COMPANY, is a foreign corporation doing business in the state of Missouri; said corporation may be served through its registered agent, The Corporation Company, 120 South Central Avenue, Clayton, Missouri 63105.

Defendant, FOSTER WHEELER ENERGY CORP., individually and successor-in-interest to C.H. WHEELER, is a foreign corporation doing business in the State of Missouri; Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute through C.T. Corporation System, 208 South LaSalle Street, Suite 814, Chicago, Illinois 60604.

Defendant, GARDNER DENVER, INC., is a corporation organized and existing under the laws of the State of Missouri and may be served through its registered agent, C.T. Corporation System, 120 South Central Avenue, Clayton, Missouri 63105.

Defendant, GENERAL ELECTRIC COMPANY, is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, C.T. Corporation System, 120 South Central Avenue, Clayton, Missouri 63105.

Defendant, GENERAL GASKET CORPORATION, is a corporation organized and existing under the laws of the State of Missouri and may be served through its registered agent, AJ Bronsky, Brown and James, P.C., 800 Market St., Ste. 1100, St. Louis, MO 63103.

Defendant, GENUINE PARTS COMPANY, a/k/a NAPA AUTO PARTS, is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, CT Corporation System, 120 South Central Avenue, Clayton, Missouri 63105.

Defendant, GEORGIA-PACIFIC, L.L.C., is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, C.T. Corporation System, 120 South Central Avenue, Clayton, Missouri 63105.

Defendant, THE GOODYEAR TIRE & RUBBER COMPANY, is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, CSC-Lawyers Incorporating Service Company, 221 Bolivar Street, Jefferson City, Missouri 65101.

Defendant, GOULDS PUMPS, INC., is a foreign corporation doing business in the State of Missouri; Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute through its registered agent, C.T. Corporation, 208 South LaSalle Street, Suite 814, Chicago, Illinois 60604.

Defendant, GREENE, TWEED & CO, INC., is a foreign corporation doing business in the State of Missouri; Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute at: 2075 Detwiler Road, Kulpsville, Pennsylvania 19443.

Defendant, GRINNELL LLC, is a foreign corporation doing business in the State of Missouri; Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute through its registered agent C.T. Corporation System, 111 Eighth Avenue, New York, New York 10011.

Defendant, HONEYWELL INTERNATIONAL, INC., is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, CSC-Lawyers Incorporating Service Company, 221 Bolivar Street, Jefferson City, Missouri 65101.

Defendant, ILLINOIS TOOL WORKS, INC., individually and as successor-in-interest to DEVCON CORP., is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, C.T. Corporation System, 120 South Central Avenue, Clayton, Missouri 63105.

Defendant, IMO INDUSTRIES, INC., individually and as successor-in-interest to DELAVAL TURBINE, INC., is a foreign corporation doing business in the State of Missouri; Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute through its registered agent C.T. Corporation System, 208 South LaSalle Street, Suite 814, Chicago, Illinois 60604.

Defendant, INGERSOLL-RAND COMPANY, is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, The Corporation Company, 120 South Central Avenue, Clayton, Missouri 63105.

Defendant, ITT CORPORATION, f/k/a ITT INDUSTRIES, INC., is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, The Corporation Company, 120 South Central Avenue, Clayton, Missouri 63105.

Defendant, JOHN CRANE, INC., is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, C.T. Corporation System, 120 South Central Avenue, Clayton Missouri 63105.

Defendant, J.P. BUSHNELL PACKING SUPPLY CO., is a Missouri corporation doing business in the State of Missouri; said corporation may be served through its registered agent, Kathleen Sullivan, 3041 Locust Street, St. Louis, Missouri 63103.

Defendant, THE J.R. CLARKSON COMPANY, successor to THE KUNKLE VALVE COMPANY, and successor to J.E. LONERGAN COMPANY is a foreign corporation doing business in the State of Missouri; Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute through its registered agent, CSC Lawyers Inc. Service, 50 West Broadway St., Ste. 1800, Columbus, OH 43215.

Defendant, KAISER-GYPSUM COMPANY, INC., is a foreign corporation doing business in the State of Missouri. Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute at CSC-Lawyers Incorporation Service Company, 2730 Gateway Oaks Drive, Suite 100, Sacramento, California 95833

Defendant, KELLY MOORE PAINT COMPANY, is a foreign corporation doing business in the State of Missouri; Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute through its registered agent, Patrick T. McDonald, at 987 Commercial Street, San Carlos, California 94070.

Defendant, KELSEY-HAYES COMPANY, a/k/a FRUEHAUF CORPORATION, is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent: CSC-Lawyers Incorporating Service Company, 221 Bolivar Street, Jefferson City, Missouri 65101.

Defendant, LAMONS GASKET COMPANY, is a foreign corporation doing business in the State of Missouri; Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute at 7300 Airport Boulevard, Houston, Texas 77061.

Defendant, LUFKIN INDUSTRIES, INC. is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, C.T. Corporation System, 120 South Central Avenue, Clayton, Missouri 63105.

Defendant, MACK TRUCKS, INC., is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, C.T. Corporation System, 120 South Central Avenue, Clayton, Missouri 63105.

Defendant, MAREMONT CORPORATION, is a foreign corporation doing business in the State of Missouri. Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute at Corporation Trust Company, 1209 Orange Street, Wilmington, Delaware 19801.

Defendant, METROPOLITAN LIFE INSURANCE COMPANY, is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, Director, Department of Insurance, State of Missouri, 301 West High Street, Room 530, Jefferson City, Missouri 65101.

Defendant, MOTION CONTROL INDUSTRIES, INC., as successor-in-interest to CARLISLE CORPORATION, is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, CSC-Lawyers Incorporating Service Company, 221 Bolivar Street, Jefferson City, Missouri 65101.

Defendant, PPG, ARCHITECTURAL FINISHED, INC., f/k/a AKZO NOBEL PAINTS, LLC, d/b/a THE GLIDDEN COMPANY, is a foreign corporation doing business in the State of Missouri; Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute at 1 PPG Place, Pittsburg, Pennsylvania 15272.

Defendant, NAVISTAR, INC., f/k/a INTERNATIONAL TRUCK AND ENGINE CORPORATION, is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, C.T. Corporation System, 120 South Central Avenue, Clayton, Missouri 63105.

Defendant, PACCAR, INC., a/k/a KENWORTH TRUCK COMPANY, a/k/a PETERBILT MOTORS COMPANY, is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, Prentice Hall Corporation, 221 Bolivar, St., Jefferson City, Missouri 65101.

Defendant, PNEUMO ABEX CORPORATION, is a foreign corporation doing business in the State of Missouri. Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-

Arm Statute at its corporate headquarters, 50 West Broad Street, Suite 1800, Columbus, Ohio 43215.

Defendant, PRIMERICA CORPORATION, f/k/a AMERICAN CAN COMPANY, is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, Christina Horton, 1712 Pioneer Ave., Cheyenne, WY 82001.

Defendant, RILEY POWER, INC., f/k/a RILEY STOKER CORPORATION, is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, C.T. Corporation System, 120 South Central Avenue, Clayton, Missouri 63105.

Defendant, SPRINKMANN SONS CORPORATION, is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, C.T. Corporation System, 120 South Central Avenue, Clayton, Missouri 63105.

Defendant, TACO, INC., is a foreign corporation doing business in the State of Missouri. Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute at 1160 Crenston Street, Crenston, Rhode Island 02920.

Defendant, TRANE US, INC., f/k/a AMERICAN STANDARD, INC., is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, C.T. Corporation System, 120 South Central Avenue, Clayton, Missouri 63105.

Defendant, UNION CARBIDE CORPORATION, is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, C.T. Corporation System, 120 South Central Avenue, Clayton, Missouri 63105.

Defendant, UTILITY TRAILER MANUFACTURING COMPANY, is a foreign corporation doing business in the State of Missouri; Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute through its registered agent, Corporation Service Company, 300 Spring Building, Suite 900, 300 S. Spring St., Little Rock, Arkansas 72201.

Defendant, VIKING PUMPS, INC., is a foreign corporation doing business in the State of Missouri; Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute at C.T. Corporation System, 500 East Court Avenue, Suite 200, Des Moines, Iowa 50309.

Defendant, WARREN PUMPS, LLC, is a foreign corporation doing business in the State of Missouri. Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute at The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801.

Defendant, WEIL-MCLAIN COMPANY, is a foreign corporation doing business in the State of Missouri. Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute at 500 Blaine Street, Michigan City, Indiana 46360.

Defendant, WESTERN AUTO SUPPLY COMPANY, is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, National Registered Agents, Inc., 300-B East High Street, Jefferson City, Missouri 65101.

Defendant, WHITNEY AUTOMOTIVE GROUP, INC., f/k/a J.C. WHITNEY & CO., is a foreign corporation doing business in the State of Missouri; Defendant corporation does not maintain a registered agent in Missouri, although it and/or its predecessors in interest have conducted substantial business in Missouri. Said corporation may be served pursuant to the Missouri Long-Arm Statute at The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801.

Defendant, YOUNG GROUP LTD., f/k/a YOUNG SALES CORP., is a corporation organized and existing under the laws of the State of Missouri and may be served through its registered agent, National Corporate Research, Ltd., 222 East Dunklin, Suite 102, Jefferson City, Missouri 65101.

Defendant, YOUNG INSULATION GROUP OF ST. LOUIS, INC., is a corporation organized and existing under the laws of the State of Missouri and may be served through its registered agent, National Corporate Research, Ltd., 222 East Dunklin, Suite 102, Jefferson City, Missouri 65101.

Defendant, ZURN INDUSTRIES, LLC, is a foreign corporation doing business in the State of Missouri; said corporation may be served through its registered agent, C.T. Corporation System, 120 South Central Avenue, Clayton, Missouri 63105.

7. Each defendant is amenable to suit in the State of Missouri by reason having sold, distributed and/or installed the aforementioned asbestos-containing products in Missouri

or by reason of having placed the same into the stream of commerce for use in Missouri, and by reason of having committed tortious acts against Plaintiff in Missouri.

**COUNT I**  
**STRICT LIABILITY**

8. Plaintiff herein incorporates by reference Paragraphs 1 through 7 of this Petition.
9. At the time Defendant and each of them manufactured, sold and distributed the asbestos-containing products to which Plaintiff was exposed, said products were in a defective condition and were unreasonably dangerous in that:
  - (a) Said products contained friable asbestos fibers and/or asbestiform fibers as a constituent substance;
  - (b) Said asbestos fibers and/or asbestiform fibers were highly toxic, deleterious, poisonous and harmful to the health of Plaintiff and others similarly situated;
  - (c) Said products were not accompanied by any warning or by adequate warning advising of the danger of exposure to asbestos or of precautions to be employed in the use of asbestos-containing products.
10. Said products reached the point of Plaintiff's exposure in substantially the same condition as when manufactured, distributed and sold.
11. At all times relevant hereto, said products were used in the manner and environment intended, and in a manner reasonably foreseeable and anticipated by Defendants and each of them.
12. As a direct and proximate result of said defective and unreasonably dangerous conditions of said products, Petitioner was exposed to, and inhaled, ingested or otherwise absorbed great amounts of asbestos fibers and/or asbestiform fibers causing Petitioner to develop the asbestos-related disease aforesaid, which has disabled and disfigured Petitioner; Petitioner has in the past, and will in the future, be compelled to expend and become

liable for large sums of monies for hospital, medical and other health care services necessary for the treatment of his asbestos related diseases and conditions; Petitioner has experienced great physical pain and mental anguish as a result of the inhalation, ingestion and absorption of said asbestos fibers and/or asbestiform fibers; as a further result of their asbestos-related diseases and conditions, Petitioner has in the past and will in the future be hindered and prevented from pursuing their normal course of employment, thereby losing large sums of money which otherwise would have accrued to him.

WHEREFORE, Plaintiff prays judgment be entered against the Defendants jointly and severally for actual and compensatory damages as are fair and reasonable, in excess of TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS, including the cost of this action and any other such relief as the court deems just and equitable.

**COUNT II**  
**NEGLIGENCE**

13. Plaintiff herein incorporates by reference Paragraphs 1 through 12 of this Petition.
14. At all times herein set forth, the products of Defendants and each of them were being employed in the manner and for the purposes for which they were intended.
15. Plaintiff's exposure to, and inhalation, ingestion or absorption of the asbestos fibers emanating from the above-mentioned products was completely foreseeable and could or should have been anticipated by the Defendants and each of them.
16. Defendants and each of them knew or should have known that the asbestos fibers and/or asbestiform fibers contained in their products had a toxic, poisonous, and highly deleterious effect upon the health of persons inhaling, ingesting or otherwise absorbing them.

17. At all times herein relevant, Defendants and each of them had a duty to exercise reasonable care and caution for the safety of the Plaintiff and others working with or around the products of the Defendants containing asbestos.
18. Defendants and each of them failed to exercise ordinary care and caution for the safety of Plaintiff in one or more of the following respects:
  - (a) Included asbestos in their products, even though it was completely foreseeable and could or should have been anticipated that persons such as the Plaintiff working with or around them would inhale, ingest or otherwise absorb that asbestos;
  - (b) Included asbestos in their products when the Defendants knew or should have known that said asbestos fibers and/or asbestiform fibers would have a toxic, poisonous and highly deleterious effect upon the health of persons inhaling, ingesting or otherwise absorbing them;
  - (c) Included asbestos in their products when adequate substitutes for the asbestos in them were available;
  - (d) Failed to provide any or adequate warnings to persons working with or around the products of the dangers of inhaling, ingesting or otherwise absorbing the asbestos fibers and/or asbestiform fibers contained in them;
  - (e) Failed to provide any or adequate instructions concerning the safe methods of working with or around the products, including specific instructions on how to avoid inhaling, ingesting or otherwise absorbing the asbestos fibers and/or asbestiform fibers in them;
  - (f) Failed to conduct tests on the asbestos-containing products manufactured, sold, delivered or installed by the Defendants in order to determine the hazards to which workers such as the Plaintiff might be exposed while working with or around the products; and
  - (g) Failed to recall asbestos-containing products which it had manufactured, sold, delivered, or installed.
19. As a direct and proximate result of said defective and unreasonably dangerous conditions of said products, Petitioner was exposed to, and inhaled, ingested or otherwise absorbed great amounts of asbestos fibers and/or asbestiform fibers causing Petitioner to develop

the asbestos-related disease aforesaid, which has disabled and disfigured Petitioner; Petitioner has in the past, and will in the future, be compelled to expend and become liable for large sums of monies for hospital, medical and other health care services necessary for the treatment of his asbestos related diseases and conditions; Petitioner has experienced great physical pain and mental anguish as a result of the inhalation, ingestion and absorption of said asbestos fibers and/or asbestiform fibers; as a further result of their asbestos-related diseases and conditions, Petitioner has in the past and will in the future be hindered and prevented from pursuing their normal course of employment, thereby losing large sums of money which otherwise would have accrued to him.

WHEREFORE, Plaintiff prays judgment be entered against the Defendants jointly and severally for actual and compensatory damages as are fair and reasonable, in excess of TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS, including the cost of this action and any other such relief as the court deems just and equitable.

**COUNT III**  
**WILFUL AND WANTON MISCONDUCT**

20. Plaintiff herein incorporates by reference Paragraphs 1 through 19 of this Petition.
21. Defendants and each of them are guilty of one or more of the following acts or omissions amounting to willful and wanton misconduct:
  - (a) Intentionally or with a reckless disregard for the safety of Plaintiff, included asbestos in their products, even though it was completely foreseeable and could or should have been anticipated that persons such as the Plaintiff working with or around them would inhale, ingest or otherwise absorb that asbestos;
  - (b) Intentionally or with a reckless disregard for the safety of Plaintiff, included asbestos in their products when the Defendants knew or should have known that said asbestos fibers would have a toxic, poisonous and highly deleterious

effect upon the health of persons inhaling, ingesting or otherwise absorbing them;

- (c) Intentionally or with a reckless disregard for the safety of Plaintiff, included asbestos in the products when adequate substitutes were available;
- (d) Intentionally or with a reckless disregard for the safety of the Plaintiff, failed to provide any or adequate warnings to persons working with or around the products of the dangers of inhaling, ingesting or otherwise absorbing the asbestos fibers and/or asbestiform fibers in them;
- (e) Intentionally or with a reckless disregard for the safety of the Plaintiff, failed to provide any or adequate instructions concerning the safe methods of working with or around the products, including specific instructions on how to avoid inhaling, ingesting or otherwise absorbing the asbestos fibers and/or asbestiform fibers in them;
- (f) Intentionally or with a reckless disregard for the safety of the Plaintiff, failed to conduct tests on the asbestos-containing products manufactured, sold or delivered by the Defendants in order to determine the hazards to which workers such as the Plaintiff might be exposed while working with or around the products; and
- (g) Failed to recall asbestos-containing products which it had manufactured, sold, delivered and installed.

22. As a direct and proximate result of said defective and unreasonably dangerous conditions of said products, Petitioner was exposed to, and inhaled, ingested or otherwise absorbed great amounts of asbestos fibers and/or asbestiform fibers causing Petitioner to develop the asbestos-related disease aforesaid, which has disabled and disfigured Petitioner; Petitioner has in the past, and will in the future, be compelled to expend and become liable for large sums of monies for hospital, medical and other health care services necessary for the treatment of his asbestos related diseases and conditions; Petitioner has experienced great physical pain and mental anguish as a result of the inhalation, ingestion and absorption of said asbestos fibers and/or asbestiform fibers; as a further result of their

asbestos-related diseases and conditions, Petitioner has in the past and will in the future be hindered and prevented from pursuing their normal course of employment, thereby losing large sums of money which otherwise would have accrued to him.

WHEREFORE, Plaintiff prays that, in addition to actual and compensatory damages, Petitioner be awarded punitive and exemplary damages against each Defendant separately in an amount in excess of TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS.

**COUNT IV**  
**CONSPIRACY**

23. Plaintiff herein incorporates by reference paragraphs 1 through 22 of this Petition.
24. Defendants METROPOLITAN LIFE INSURANCE COMPANY, HONEYWELL INTERNATIONAL, INC., and PNUEMO ABEX CORPORATION agreed and conspired with the Defendants named herein and with other manufacturers, sellers and distributors of asbestos-containing products to suppress and misrepresent the hazards of exposure to asbestos.
25. As a direct and proximate result of said defective and unreasonably dangerous conditions of said products, Petitioner was exposed to, and inhaled, ingested or otherwise absorbed great amounts of asbestos fibers and/or asbestiform fibers causing Petitioner to develop the asbestos-related disease aforesaid, which has disabled and disfigured Petitioner; Petitioner has in the past, and will in the future, be compelled to expend and become liable for large sums of monies for hospital, medical and other health care services necessary for the treatment of his asbestos related diseases and conditions; Petitioner has experienced great physical pain and mental anguish as a result of the inhalation, ingestion and absorption of said asbestos fibers and/or asbestiform fibers; as a further result of their

asbestos-related diseases and conditions, Petitioner has in the past and will in the future be hindered and prevented from pursuing their normal course of employment, thereby losing large sums of money which otherwise would have accrued to him.

WHEREFORE, Plaintiff prays that, in addition to actual and compensatory damages, Plaintiff be awarded punitive and exemplary damages against each Defendant separately in an amount in excess of TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS.

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